

Washington State Conservation Commission Regular Meeting

FINAL MINUTES

Republic, Washington
July 16, 2009

The Washington State Conservation Commission (Commission/WSCC) met in regular session on July 16, 2009 in Republic, Washington. Commission Chair Lynn Bahrych called the meeting to order at 8:30 a.m.

ATTENDEES

Lynn Bahrych, Chair
Tracy Eriksen, Member
Lee Faulconer, Member
Dean Longrie, Member
Jim Peters, Member
Melodie Selby, Member

COMMISSION STAFF

Mark Clark, Executive Director
Ron Shultz, Policy Director
Debbie Becker, Financial Services Manager
Eric Kopp, North East Regional Manager
Megan McCormack, Program Specialist

PARTNERS REPRESENTED DURING THIS MEETING:

John Larson, Washington Association of Conservation Districts (WACD)
David Brown, Natural Resources Conservation Service (NRCS)
Kim Simpson, Washington Association of District Employees (WADE)
Rod Hamilton, Farm Service Agency (FSA)

GUESTS:

George Boggs, Whatcom Conservation District
Elsa Coffman, Lincoln Conservation District
David Lundgren, Lincoln Conservation District
Dean Hellie, Stevens Conservation District
Craig Nelson, Okanogan Conservation District
Todd Bolster, Department of Ecology
Jack Willis, Adams Conservation District

Additions/Corrections to Agenda Items

Mark Clark made the following changes to the agenda:

- Add "Climate Change Information" under the Legislative & Policy section.
- Comments about Staff reorganization & NASCA Meeting info. under Commission operations.

Introductions & Partnership Reports

Rod Hamilton with the Farm Service Agency reported that they will have a new state director on the 1st of August. The primary focus in his agency is getting the stuff from the Farm Bill implemented, most of which have a deadline in the middle of August. The stimulus bill included \$170 million for them to loan; this money was gone in two weeks. Melodie Selby reported that the largest issue being dealt with at DOE is the budget. The programs which have been hardest hit include spills and water resources. This will be Melodie's last meeting with the Conservation Commission; her replacement has not yet been identified. Dean Longrie who is the WACD President reported that he will be in D.C. next week talking with our state legislators. The WACD Annual Meeting will be held in December in Spokane, WA. Currently the WACD is working on elections for officers. Fred Colvin is the contact person for all positions. Lynn Bahrych passed out an invitation to the Farmland Wildlife Conservation Tour on July 23rd. She also shared an article

Conservation Commission Meeting Minutes for July 16, 2009

out of Scientific American on Climate Change. Lee Faulconer reported on a change in the Policy office at the Department of Agriculture. Jeff Canaan has moved into the Legislative position in the policy office. The question at the Dept. of Ag is how they are going to get involved in the Climate Change discussions. David Brown who is representing Roylene-Rides-at-the-Door reported that there will be a new signup in August for the Conservation Stewardship program, which will be nation-wide. He also reported that at the National Level, 1 application from WA State was selected for AWEF funding. John Larson stated he has spent a great deal of time reviewing budget allocations and working with districts and individuals with relation to the budget. He went before the State Board of Health to answer questions on a resolution out of Clark County on the keeping of animals. He stated this resolution was very outdated. Kim Simpson reported there were 200 registrants this year at the WADE conference. She heard lots of great comments that this was "one of the best WADE conferences ever". The WADE Elections were held, the only change was Mike Tobin is now a director. The 2010 meeting will be held June 14-16 at the Sleeping Lady, Leavenworth, WA.

Consent Agenda

Dean Longrie moved to approve the May 21st regular business meeting minutes as well as the June 12th special meeting minutes. Melodie seconded.

Motion passed.

Legal/Technical Services

- **Elections report from sub-committee**

Lynn Bahrych reviewed the report from the Elections sub-committee. They are currently reviewing elections procedures and working directly with the WACD committee on elections.

Tracy Eriksen moved to approve the process to work with the WACD committee and bring a finished product to the December 2009 meeting. Jim Peters seconded.

Motion passed.

John Larson said that the WACD Committee (which is separate from the Commission's committee) will be recommending a mail-in ballot for 2010 for all districts who can handle it. They are also going to recommend that there be one election date.

- **Update on Mason CD**

The Assistant Attorney General has an amicus brief which has not yet been approved by the office. The litigation will probably not be decided until 2010.

- **Update on Public Records Request**

There was a request for public records submitted to the Commission office that involves dairy records and other information dating back to the 1980's. Tom Salzer is currently working on redacting information from a spreadsheet, a very time consuming process. There is still work on the national level, trying to harmonize what the federal process says as well as what the WA State public records act says.

Public Comment

David Lundgren, Lincoln Conservation District asked that the district have reinstated their Professional Engineering cluster funds reinstated. They are working with the other districts involved to bring that level of funding back up. Mark Clark read an email sent from Mark Nielsen, Franklin Conservation District on behalf of Chris Herron. Craig Nelson, Okanogan Conservation District asked that the Commission make their budget decision quickly since the funding is one year money. Dave Lundgren felt that what makes the budget process difficult is how much money we actually lost.

09-11 Budget

Mark Clark opened the budget discussion with the results of the Competitive Grant Program survey. The results indicated a majority would prefer to Opt Out of the program. Mark's recommendation would be to not move ahead with the Competitive grant program.

Dean Longrie moved that we return the \$250,000 to the pot for distribution. Tracy Eriksen seconded.

Motion passed.

The Operating Budget for the Conservation Commission was presented with Mark stating further budget reductions are anticipated.

Tracy Eriksen moved to approve the Conservation Commission Operating budget as presented. Dean Longrie seconded.

Motion passed.

Debbie Becker reviewed the Legislative appropriations and the numbers showing monies returned by the districts.

Tracy moved that all districts in the blue column receive all the money which was allocated to them. Melodie seconded.

Tracy rescinds the motion, Melodie seconded. Motion withdrawn.

Below are the list of projects and their corresponding motions.

Livestock

Melodie Selby moved that everyone who applied for funds would receive what they spent last year. Commission staff would work with districts to come up with a recommendation to apply for the remaining funds. This would be done no later than the September Commission meeting. Jim Peters seconded.

Motion Passed.

Conservation Reserve Enhancement Program (CREP)

Mark would like to recommend what Carol Smith, Program Manager for CREP put forward.

Dean Longrie moved to accept Carol's proposal. Lee Faulconer seconded.

Motion passed.

Irrigation Efficiencies

Jon Culp worked on the numbers for this program. He reviewed each district and what they currently have on their list of work.

Tracy Eriksen moved to approve the Irrigation Efficiencies funding one year at a time. Dean Longrie seconded.

Motion passed.

Professional Engineering

Dean Hellie, Stevens Conservation District explained to the Commission that their engineering cluster met and agreed to work better in managing their funds.

Tracy Eriksen moved that we accept the Professional Engineering proposal with the remarks taken into account about Stevens County and the potential for readjustment. Dean Longrie seconded.

The amounts will be reduced to hold back a pot of money and the final numbers will be decided at the September Commission meeting.

Motion passed.

Technical Service Provider (TSP)

For TSP, an amount of \$229,000 in state funds has been placed into a pool. The staff needs approval from the Commissioners to allow this money to be offered on a first come, first served basis.

Dean Longrie moved that we accept the recommendation from staff on the TSP program. Jim Peters seconded.

Motion passed.

Implementation

Dean Longrie moved to allocate 96.85% of the original FY09 allocation for FY10. Jim Peters seconded.

Motion passed.

Dean Longrie moved to approve for the districts that have 1.0 to allocate their full funds. Jim Peters seconded.

Melodie moved to table Dean's motion. Jim seconded.

Motion passed.

Melodie moved that the Conservation Commission policy is that these budget amounts are to be given for what was in the WACD Budget request and that the Regional Managers should work with the districts to establish an updated work plan including deliverables based on the amount they received. Tracy Eriksen seconded.

Dean expects that for the next year there may be some adjustments. He asked if there was anything that needs to be included in the motion that would say "subject to review prior to FY11 allocation". John Larson stated that WACD will continue to look at budget requests initially as not what they need but how do you go about creating a tool that works for us regardless of what happens at the Legislative level. This tool will continue to change and be modified.

Motion passed.

Mark Clark reviewed the District in Good Standing List. The grants staff & regional managers developed a form to measure the Districts in Good Standing. The districts listed as Tier 2 are those who have one issue. The Tier 3 group has more than one issue. The Tier 4 group has three or more issues, did not stick to the "promises made, promises kept," and also returned funds.

Melodie moved to remove from the table, Dean's motion.

Dean's original was for districts that have 1.0 or 100% receive the full allocation of their funds.

Motion passed.

Discussion was held on adopting the position that the threshold of concern for returned money would be more than \$5,000 after March 1st of each fiscal year.

There are 5 districts that are in the Tier 4 group. Mark would like those to attend the September Commission meeting and explain their reason for being on that list and their plan to improve. Dean Longrie feels that the objective of being both a Commissioner and WACD rep is to get Conservation on the Ground. He feels that one way we can demonstrate that we are very sincere in getting conservation on the ground is by requiring accountability and by linking accountability with rewards.

Dean moved that the districts in the tier 4 group receive 50% of their funds now and their board supervisor, district manager or administrator attend our September meeting to provide their plan. The commission will then determine whether or not to release a portion or all of the remaining funds to the district. Tracy seconded.

Motion passed.

Melodie felt it was important that we reward those doing well by giving them a full allocation of their funds.

Melodie moved that the Commission withhold a percentage to be determined in September from the tier 4 group to be allocated to the tier 1 group. Dean seconded.

Motion passed.

Melodie moved that we delegate to commission staff the authority to approve plans for the tier 2 group and release the funds once those plans are approved. Lee seconded.

John Larson was concerned that you should add a caveat to say "if the plan is not followed, you do have a consequence".

Motion passed.

The next group discussed was the tier 3 group. The feeling is that these districts would not be required to attend the September Commission meeting but would still need to provide a plan of action.

George Boggs applauded the commission for giving consequences. Jim Peters feels that we have to be a bit more stringent and feels that some of these things we are dealing with are unacceptable and there is a point in time that these things have to stop.

Melodie moved that we release 85% of the funds to the tier 3 group and the remaining funds be released on a case by case basis once the commission has approved their plan at the September meeting. Jim seconded.

Motion passed.

Melodie moved that we immediately release 90% of the funds to the districts in the tier 2 group, the remaining 10% of funds will be allocated once the commission staff has approved their plan. Tracy seconded.

Motion passed.

Melodie moved that the districts who received 100% receive a certificate or some sort of recognition. Dean seconded.

Motion passed.

Policy & Intergovernmental

- **SSB 5248/Incentives**

There were negotiations in progress at the last retreat in Ellensburg. These look similar to our incentives approach. Ecology, Commission staff and districts will be working together to develop a manual. The next retreat is July 30th & 31st in Bellingham.

- **2010 Legislative & Supplemental Budget**

Agency request legislation is due to the Governor's office on September 28th. There are some possible areas of interest around the development of an Ag impact statement as well as statutory changes around elections and assessments. With regard to the supplemental budget, we may be in a position to ask for a higher level of funding on our incentives approach, more on that later.

- **OFP Update**

Josh Giuntoli has been working with L&I regarding Ag regulations. He has also been looking at water rights acquisition and transfers from Ag into municipal use. The OFP also submitted final reports to the Recreation and Conservation Office on the grants to local governments. OFP has provided funding to Kittitas CD to create a crop mapping pilot project.

- **Climate Change**

The ACES Act has recently passed the house and is now over to the senate. A significant item that was added was to have USDA add carbon credits rather than EPA.

District Operations

- **CREP Maintenance Caps**

Carol Smith proposed a cap for CREP Maintenance.

Jim Peters moved to accept Carol's proposal. Lee seconded.

Motion passed.

- **Livestock Policy**

The livestock policy was sent out to all districts for comment, as requested by commissioners at their May meeting. A total of 9 comments were received. John Larson shared those comments.

Jim Peters moved to approve items 1 – 6 on the suggested recommendations for the livestock policy. Dean seconded.

Melodie moved to amend the motion to approve items 1 – 5 and come back to item 6 at the September meeting. Lee seconded.

Motion passed.

Regional Manager Report

Eric Kopp reviewed the regional manager report. He reported that the Districts in Good Standing process has been very time consuming. There are ongoing efforts to improve communication between the Grants staff and Regional Managers. There is also a lot of CD staff & supervisor turnover which present opportunities for training. Butch Ogden, SW Regional Manager, has taken over the Mason & Thurston CDs. In doing so, the Regional Managers align with the WACD areas.

Commission Operations

- **Staff Reorganization and NASCA meeting**

At the end of 2009, there is a strong possibility that Mark Clark will take over the reins as president of NASCA which will in turn require a lot of travel. Mark also informed us all that Susie Vanderburg the outreach and education specialist has taken a new position at LOTT.

- **Natural Resource Agency Reorganization**

Mark & Ron have attended the meetings on the Natural Resource Agency Reorganization. This was a directive from the Governor. She would like discussions on the possibility of merging some of the agencies.

- **Centennial Accord Natural Resource Council**

Jim Peters attended the Centennial Accord 20th celebration in June. This council was created to discuss Government to Government between the WA State Governor's cabinet, Natural Resource agencies and the tribes. Since it was established, there have been other agencies involved, DOT and DNR, so it makes sense for WSCC to be involved.

Chair Comments

Lynn Bahrych thanked the K Diamond K for their great hosting and wonderful food. Melodie Selby thanked all of the Commissioners and Commission staff. This was her last meeting as she has taken a position on the teaching staff at Walla Walla University.

Adjournment

Commission Chair Lynn Bahrych adjourned at 3:00.